

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

THEODORE RAYMOND VICKERS,

Defendant.

Case No. CR06-5057RBL

ORDER

THIS MATTER comes on before the above-entitled Court upon Defendant's "Motion for Order Transporting Defendant for Final Probation Revocation Hearing" [Dkt. #7], and "Motion for Final Probation Revocation Hearing." [Dkt. #8].

Having considered the entirety of the records and file herein, the Court finds and rules as follows:

On October 19, 1998 the Defendant was convicted in the Eastern District of Washington of possession with intent to distribute heroin, cocaine and methamphetamine. He was sentenced to 90 months custody and five years of supervised release. On February 1, 2006, jurisdiction over defendant's supervised release was transferred to this district. The record reflects that the defendant was recently convicted in Washington State court for drug and weapons violations and was sentenced to 100 months. Because of the state conviction, the United States Probation Department lodged a federal detainer with the State of Washington so that the defendant will come into federal custody upon his release from state custody. The Probation Department has not filed a supervised release violation petition and has not sought a writ to return the defendant to federal

1 custody. The decision to not seek a writ at this time rests with the Probation Department and this Court sees
2 no just reason to override the Probation Department's judgment. It is therefore,

3 **ORDERED** that Defendant's Motion for Transfer [Dkt. #7] and Motion for Final Revocation Hearing
4 [Dkt. #8] are **DENIED**.

5 The Clerk shall send uncertified copies of this order to all counsel of record, and to any party appearing
6 pro se.

7 Dated this 6th day of November, 2006.

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10 RONALD B. LEIGHTON
11 UNITED STATES DISTRICT JUDGE
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